

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

JOHN P. KERR

Debtor

Chapter 13

Bankruptcy No. 23-13335-MDC

TRUSTEE'S MOTION TO DISMISS WITH A BAR ORDER  
PURSUANT TO 11 U.S.C. SECTIONS 105 AND 1307

To the Honorable Judges of the United States Bankruptcy Court for the Eastern District of Pennsylvania:

1. Your Movant is Kenneth E. West, Esq. the duly qualified and acting Chapter 13 Trustee in the above-captioned case.
2. The within case was commenced by the filing of a Chapter 13 petition on 11/03/2023.
3. This Motion to Dismiss has been filed for the following reason(s):
  - Debtor(s) has/have failed to appear at the meeting of creditors required by 11 U.S.C. Section 341(a).
  - Debtor(s) has/have failed to commence or continue making timely payments to the trustee as required by 11 U.S.C. Section 1326.
  - Debtor(s) has/have failed to provide, not later than 7 days before the date first set for the first meeting of creditors, a copy of the Federal income tax return required by 11 U.S.C. Section 521(e)(2).
  - There has been unreasonable delay by debtor(s) that is prejudicial to creditors pursuant to 11 U.S.C. Section 1307(c)(1), by the failure of debtor(s) to provide business information sufficient for the trustee to evaluate the financial condition of debtor(s) and/or the plan.
4. The debtor has filed four prior bankruptcy cases, either individually, or jointly with a spouse, as follows:
  - (1) 17-17038
  - (2) 19-13958
  - (3) 22-10166

(4) 23-10496

WHEREFORE, Kenneth E. West, Esq., Standing Chapter 13 Trustee, respectfully requests that, pursuant to 11 U.S.C. Sections 105 and 1307, the Court enter an Order dismissing this case and barring the debtor from filing another bankruptcy petition, either individually or jointly with a spouse, without prior leave of Court FOR A PERIOD OF TWO YEARS.

Date: 02/16/2024

Respectfully submitted,

/s/ Kenneth E. West, Esq.

Kenneth E. West, Esq.  
Standing Chapter 13 Trustee  
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